



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jonathan Stanley Harold Denyer Docket: 102199-201  
 Anthony Dyche  
 Richard James Marsden

Serial No.: 09/930,582 Art Unit: 3761

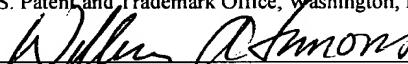
Filed: August 15, 2001 Examiner: Michael G. Mendoza

Assignee: Medic-Aid Limited

Title: CONTROLLING DRUG DELIVERY APPARATUS

**Certificate of Mailing**

Date of Deposit May 28, 2004.  
 I hereby certify under 37 CFR 1.8(a) that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20231.

Signed: 

Name: William A. Simons

**REQUEST FOR STATUS**

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

The current status of the above-identified application is respectfully requested. Since the filing date, no communication has been received from the Patent and Trademark Office regarding this application except for a Notice of Recordation of the Assignment and Form PTO-103X.

On April 19, 2004, we faxed a 27 page package as explained below and as attached

hereto. That fax was received by the USPTO as evidenced by the attached Auto-Reply Facsimile Transmission.

This April 19, 2004 fax was in furtherance to confirm an earlier February 26, 2004 Response to Final Rejection.

However, a check yesterday of the USPTO PAIR system and a telephone call to the listed SPE (Weilun Lo) indicated that neither the February 26, 2004 communication or the April 19, 2004 communication has been entered into the PAIR system. Thus, it is unclear if the USPTO ever properly docketed these papers.

Please note that both communications have included a Notice of Appeal which allows the application to remain alive. It is hoped that all extensions-of-time to file an Appeal Brief will be held in abeyance as a result of these lost papers.

Respectfully submitted,  
Jonathan S.H. Denyer et al.

Date: May 28, 2004  
Reg. No. 27,096



Signature of Attorney  
William A. Simons  
Wiggin and Dana LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4502  
Facsimile: (203) 782-2889

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jonathan Stanley Harold Denyer Docket: 102199-201  
Anthony Dyche  
Richard James Marsden  
Serial No.: 09/930,582 Art Unit: 3761  
Filed: August 15, 2001 Examiner: Michael G. Mendoza  
Assignee: Medic-Aid Limited Conf. No. 3302  
Title: CONTROLLING DRUG DELIVERY APPARATUS

**Certificate of Facsimile Transmission Mailing**

Date of Transmission: April 19, 2004  
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being filed with the United States Patent and Trademark Office via facsimile transmission (703-872-9306) on the date shown above  
Signed: William A. Simons

Name: William A. Simons

**LETTER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-noted U.S. Patent Application, the outstanding Office Action was responded to on February 26, 2004 using the Certificate of Mailing procedure. The following documents were mailed that day to the U.S. Patent and Trademark Office (USPTO):

- (1) Amendment Transmittal Letter
- (2) Amendment and Reply to Office Action
- (3) Notice of Appeal
- (4) Self-addressed Return Postcard

These documents were received by the USPTO as evidenced by the date stamp on the return postcard. However, all of these documents had the wrong Serial Number on the document (i.e. "09/309,582") instead of the correct number provided above. The undersigned attorney regrets this error.

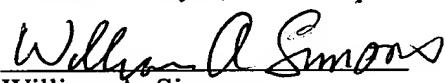
The undersigned attorney spoke to Examiner Mike Mendoza today handling this case who told me to fax the same documents to him along with same documents having the correct serial number thereon and a copy of the date-stamped return postcard.

Accordingly, please find all of those documents attached to this letter.

The undersigned attorney does not believe there should be any costs associated with the filing of these corrected papers, but if there is, please charge any additional fees to Deposit Account No. 23-1665.

If there are any questions, please contact the undersigned attorney at the numbers provided below.

Respectfully submitted,  
Jonathan Denyer, et al.

  
William A. Simons  
Reg. No. 27,096

Date: April 19, 2004  
Wiggin and Dana LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4502  
Facsimile: (203) 782-2889

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## Auto-Reply Facsimile Transmission



TO:

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Fax Information

Date Received:

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Total Pages:

29 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====>

04/19/2004 15:47 FAX 203 782 2889	WIGGIN & DANA 16	1/001
<p>Wiggin and Dana LLP      203-498-4400 One Century Tower      203-782-2889 fax P.O. Box 1832      www.wiggin.com New Haven, Connecticut 06508-1832</p>		
<p><b>WIGGIN AND DANA</b> <i>Counselors at Law</i></p>		
<p><b>Telefax Transmittal</b></p>		
<p><b>Date:</b> April 19, 2004</p>		
<p><b>To / Company / Telefax:</b> Examiner Michael G. Mendoza / United States Patent and Trademark Office / 703-872-9306</p>		
<p><b>From:</b> William A. Simons</p>		
<p><b>Telephone / Email:</b> 203-498-4502 / wsimons@wiggin.com</p>		
<p><b>Client / matter code:</b> /</p>		
<p><b>Please copy:</b></p>		
<p><b>We will copy:</b></p>		
<p><b>Special Instructions</b></p>		
<p>Applicants: Jonathan S. H. Denyer, Anthony Dyche, Richard J. Marsden Serial No.: 09/930,582      Conf. No.: 3302 Filed: August 15, 2001      Art Unit: 3761 Assignee: Medic-Aid Limited Title: CONTROLLING DRUG DELIVERY APPARATUS</p>		
<p>1. Letter - 2 pages 2. Amendment and Reply to Final Action - 8 pages 3. Amendment Transmittal Letter - 3 pages 4. Notice of Appeal - 1 page 5. Copy of Postcard 6. Corrected Amendment and Reply to Final Action - 8 pages 7. Corrected Amendment Transmittal Letter - 3 pages 8. Corrected Notice of Appeal - 1 page 9. Corrected Postcard - 1 page</p>		
<p>27 page(s) following this page</p>		
<p>PAGE 1/29 'RCVD AT 4/19/2004 3:47:01 PM [Eastern Daylight Time]' 'SVR:USPTO-EFAXF-1/1' 'DNS:172.208.1.232' 'CSID:203 782 2889' 'DURATION (mm:ss):06:46'</p>		

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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

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CONNECTION TEL	917038729306
CONNECTION ID	
ST. TIME	04/19 15:47
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PGS. SENT	29
RESULT	OK

Wiggin and Dana LLP 203.498.4400  
One Century Tower 203.782.2889 fax  
P.O. Box 1832 [www.wiggin.com](http://www.wiggin.com)  
New Haven, Connecticut  
06508-1832

WIGGIN AND DANA

*Counsellors at Law*

### Telefax Transmittal

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**Date:**  
April 19, 2004

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**To / Company / Telefax:**  
Examiner Michael G. Mendoza / United States Patent and Trademark Office / 703-872-9306

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**From:**  
William A. Simons

---

**Telephone / Email:**  
203.498.4502 / [wsimons@wiggin.com](mailto:wsimons@wiggin.com)

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**Client / matter code:**  
/

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**Please copy:**

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**We will copy:**

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### Special Instructions

Applicants: Jonathan S.H. Denyer, Anthony Dyche, Richard J. Marsden  
Serial No.: 09/930,582 Conf. No.: 3302  
Filed: August 15, 2001 Art Unit: 3761  
Assigee: Medic-Aid Limited

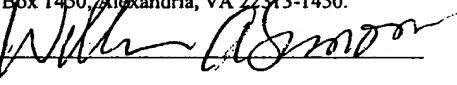
This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If the reader of this message is

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Signed: 

Name: William A. Simons

**AMENDMENT TRANSMITTAL LETTER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application. The fees have been calculated as shown below:

**1. Small Entity Status**

Applicant claims small entity status.

**2. Claim Fees**

CLAIM AMENDMENT FEE CALCULATION						
	Claims Remaining After Amendment	Minus	Highest Number Previously paid for	No. of extra claims present	Rate	Additional Fee
Total Claims		- 20		-20	\$18.00	
Independent Claims		-3		-3	\$86.00	
Multiple Dependent Claims (if any)				0	\$290.00	
<b>SUBTOTAL</b>						<b>\$0.00</b>
	REDUCTION FOR SMALL ENTITY BY 50%					
<b>TOTAL</b>						<b>\$0.00</b>

No additional claim fees are required.

**3. Extension of Time**

Applicant requests under the provisions of 37 CFR 1.136 (a) to extend the Period for filing a response in the above-identified application. The requested extension and appropriate non-small-entity fee are as follows:

Requested Extension	Fee	Small-Entity Fee
<input type="checkbox"/> One month	\$110.00	\$55.00
<input type="checkbox"/> Two months	\$420.00	\$210.00
<input type="checkbox"/> Three months	\$950.00	\$475.00
<input type="checkbox"/> Four months	\$1480.00	\$740.00
<input type="checkbox"/> Five months	\$2010.00	\$1005.00
Extension Fee Total		

**4. Terminal Disclaimer**

A Terminal Disclaimer is attached for which the appropriate fee is:  
 Non Small-Entity      \$110.00  
 Small Entity      \$55.00

**5. The following additional items are enclosed:**

Small Entity Statement  
 Other: Notice of Appeal

**6. Payment of Fees**

The total of fees due under Sections 1-4, above, is \$0.00.

A check in amount of the total of fees due is attached.

Please charge \$0.00. to Deposit Account No. 23-1665. Two additional copies of this transmittal are enclosed.

**Please charge any additional fees or credit overpayment to Deposit Account No. 23-1665.**

Respectfully submitted,  
Jonathan Denyer, et al.

  
William A. Simons  
Reg. No. 27,096

Date: February 26, 2004  
Wiggin and Dana LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4502  
Facsimile: (203) 782-2889

\10706\45\451997.1

DOCKET 02199-201

MAILED February 26, 2004

APPLICANTS: J. Denyer, A. Dyche, R.  
Marsden

SERIAL NO. 09/309,582 09/930,582

CONFIRMATION NO. 3302

FILING DATE August 15, 2001

**TITLE: CONTROLLING DRUG DELIVERY APPARATUS**

Amendment Transmittal Form (3 pgs)  
 Amendment and Reply to Office Action (8 pgs)  
 Notice Of Appeal (1 pg) (in duplicate)  
 Charge Deposit Account No. 23-1665 for \$330.00

DOCKET NO. 102199-201

MAILED February 26, 2004

APPLICANTS: J. Denyer, A. Dyche, R.  
Marsden

SERIAL NO. 09/309,582 09/930,582

CONFIRMATION NO. 3302

FILING DATE August 15, 2001

**TITLE: CONTROLLING DRUG DELIVERY APPARATUS**

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**PLEASE RETURN TO:**

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New Haven, Connecticut 06508-1832